

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ROBERT J. RAINWATER, KATHY ANN
CHAPMAN, and SONIA YACO, on their own
behalfes and on behalf of all others similarly
situated,

Plaintiffs,

v.

INTEL CORPORATION, a Delaware Corporation,

Defendant.

C. A. No. 05-473-JJF

**STIPULATION AND [PROPOSED] ORDER TO CONTINUE FILING DATE
FOR DEFENDANT'S RESPONSE TO PLAINTIFFS' COMPLAINT**

IT IS STIPULATED BY AND BETWEEN THE PARTIES, THROUGH
THEIR COUNSEL AS FOLLOWS:

Plaintiffs Robert J. Rainwater, Kathy Ann Chapman, and Sonia Yaco, and Defendant Intel Corporation hereby stipulate that Intel Corporation's response to Plaintiffs' complaint shall be due either (1) the earlier of 60 days after transfer of the above-captioned case pursuant to any motion to coordinate or consolidate pre-trial proceedings per 28 U.S.C. § 1407 or such time for response that the transferee Court may require for any action made part of the same MDL, or, (2) 45 days after any such motion has been denied. The parties request this transfer because the plaintiffs in *Brauch, et al. v. Intel Corp.*, No. C 05-2743 (BZ) (N.D. Cal., filed July 5, 2005), a related matter, have filed a petition to coordinate or consolidate pre-trial proceedings per 28 U.S.C. § 1407, and the above-styled action has been identified as a related action to that petition. As a result, the outcome of the pending petition will impact significantly the schedule of this case.

This is the first stipulation between the parties. Because this litigation has just begun, granting such a stipulation will not have any negative impact on the schedule of this case.

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Dated: July 28, 2005

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ORDER TO CONTINUE DEFENDANT'S RESPONSE DATE

IT IS HEREBY ORDERED that Defendant Intel Corporation's response to Plaintiffs' complaint shall be due either (1) the earlier of 60 days after transfer of the above-captioned case pursuant to any motion to coordinate or consolidate pre-trial proceedings per 28 U.S.C. § 1407 or such time for response that the transferee Court may require for any action made part of the same MDL, or, (2) 45 days after any such motion has been denied.

Dated: _____, 2005

Joseph J. Farnan, Jr., U.S.D.J.